

ORDINANCE NO. 46-418

AN ORDINANCE ADOPTING THE 2000 INTERNATIONAL FIRE CODE AND CITY OF WICHITA AMENDMENTS THERETO AS CHAPTER 15.01 OF THE CODE OF THE CITY OF WICHITA, KANSAS, AND REPEALING THE ORIGINAL OF CHAPTER 15.01 OF SAID CODE AND REPEALING ORDINANCE NO. 46-255.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Section 15.01.010 of the Code of the City of Wichita, Kansas shall read as follows:

“Adoption of Code. The International Fire Code, 2000 Edition, published by the International Code Council, Inc., Building Officials and Code Administrators International, Inc., International Conference of Building Officials, and the Southern Building Code Congress International, Inc., the appendix thereto, except for amendments and creations set out in this Chapter 15.01, is by reference incorporated in and by this publication made a part of this Title and Chapter as fully as though set out at length herein and is adopted as the fire prevention code of the City.”

SECTION 2. Section 15.01.020 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 1, Section 102.5 amended - Historic Buildings. Chapter 1, Section 102.5 of the International Fire Code, 2000 Edition, is amended to read as follows:

The provision of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings and structures shall be provided in accordance with an approved fire protection plan developed in accordance with the provisions of the City of Wichita Rehabilitation Code.”

SECTION 3. Section 15.01.030 of the Code of the City of Wichita, Kansas, shall read as follows:

“Chapter 1, Section 105.1.1 and Section 105.1.1.1 amended - Permits required, fee.

Chapter 1, Section 105.1.1. and Section 105.1.1.1 of the International Code, 2000 Edition, are ended to read as follows:

Permits required by this code shall be obtained from the code official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official. In instances where laws or regulations are enforceable by departments other than the fire department, joint approval shall be obtained from all departments concerned. The permit fee shall be \$40.00.”

SECTION 4. Section 15.01.040 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 1, Section 105.6.31 amended - Open burning. Chapter 1, Section 105.6.31 of the International Fire Code, 2000 Edition, is amended to read as follows:

An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to”.

SECTION 5. Section 15.01.050 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 1, Section 106.2.1 created - Inspection Requests. Chapter 1, Section 106.2.1 of the International Fire Code, 2000 Edition, is created to read as follows:

It shall be the duty of the person doing the work authorized by a permit to notify the chief that such work is ready for inspection. The Chief is authorized to require that every request for inspection be filed not less than one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the Chief. It shall be the duty of the person requesting any required inspection to provide access to and means for proper inspection of such work.”

SECTION 6. Section 15.01.060 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 1, Section 109.3 amended - Violation penalties. Chapter 1, Section 109.3 of the International Fire Code, 2000 Edition, is amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code

official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 dollars or by imprisonment not exceeding one year, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

SECTION 7. Section 15.01.070 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 2, Section 202 [B] amended - Educational Group E, Day care. Chapter 2, Section 202 [B] of the International Fire Code, 2000 Edition is amended to read as follows:

Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade.

The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than ten children older than 2 1/2 years of age shall be classified as an E occupancy.”

SECTION 8. Section 15.01.080 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 2, Section 202 Group I-4 amended - Day Care Facilities. Chapter 2, Section 202 Group I-4 of the International Fire Code, 2000 Edition is amended to read as follows:

This group shall include buildings and structures occupied by persons of any age who receive custodial care for less than 24 hours by individuals other than parents or guardians, relatives by blood, marriage, or adoption, and in a place other than the home of the person cared for. A facility such as the above with ten or fewer persons shall be classified as Group R-3. Places of worship during religious functions are not included.”

SECTION 9. Section 15.01.090 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 2, Section 202 amended - Child Care Facilities, Exception. Chapter 2, Section 202 of the International Fire Code, 2000 Edition, is amended to read as follows:

A facility that provides supervision and personal care on less than a 24-hour basis for more than ten children 2 1/2 years of age or less shall be classified as Group I-4 (see definitions).

A child day care facility that provides care for more than ten but no more than 100 children 2 1/2 years or less of age, when the rooms where such children

are cared for are located on the level of exit discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as Group E.”

SECTION 10. Section 15.01.100 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 3, Section 307.2 amended- Permit required. Chapter 3, Section 307.2 of the International Fire Code, 2000 Edition, is amended to read as follows:

A permit shall be obtained from the code official in accordance with Section 105.6 prior to kindling a fire for recognized agricultural or range or wildlife management practices, prevention or control of disease or pests, bonfire, or a recreational fire. Application for such approval shall only be presented by and permits issued to the owner, or the designate of the owner, of the land upon which the fire is to be kindled.”

SECTION 11. Section 15.01.110 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 3, Section 307.2.2 amended - Prohibited open burning. Chapter 3, Section 307.2.2 of the International Fire Code, 2000 Edition, is amended to read as follows:

Open burning that will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited. The code official is authorized to order the extinguishment by the permit holder or the fire department of open burning which creates or adds to a hazardous or objectionable situation. Open burning shall only be conducted between sunrise and sunset.”

SECTION 12. Section 15.01.120 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 3, Section 307.3 amended - Location. Section 307.3 of the International Fire Code, 2000 Edition, is amended to read as follows:

The location for open burning shall not be less than 1000 feet (305 meters) from any structure or road way, or with-in two miles of any airport or flyway.”

SECTION 13. Section 15.01.130 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 3, Section 307.4.1 created -Weather conditions. Chapter 3, Section 307.4.1 of the International Fire Code, 2000 Edition, is created to read as follows:

The wind speed shall not exceed 15 mph to conduct a burn.”

SECTION 14. Section 15.01.140 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 3, Section 307.5.2 created- Chimenea devices, Exception.
Chapter 3, Section 307.5.2 of the International Fire Code, 2000 Edition, is created to read as follows:

All provisions of recreational fires shall be followed in addition the following requirements shall be met:

1. Total fuel area shall be 2 feet or less in diameter and 1 foot in height.
2. The Chimenea shall not be located with 10 feet of combustible materials including, but not limited to walls, floors, household items, and combustible vegetation.
3. Chimeneas shall be placed on a non-combustible surface and shall not be used on balconies or wood decks.
4. Chimenea use shall be discontinued when there is a ban on burning issued by federal, state, or local agencies.
5. Chimeneas shall not be used when the wind speed is in excess of 15 mph.
6. Chimeneas shall not be used within 500 feet of shake shingle communities, unless provided with spark arrestor with a minimum ½ inch metal screen secured by metal wire, located on the Chimenea vent.
7. Only limbs and wood chips may be burned within the Chimenea. Other fuel products such as paper, plastic and rubbish are not allowed.
EXCEPTION: One and Two family dwellings.”

SECTION 15. Section 15.01.150 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 5, Section 508.5.1 amended - Where required, Exceptions.

Chapter 5, Section 508.5.1 of the International Fire Code, 2000 Edition, is amended to read as follows:

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 meters) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the code official.

EXCEPTIONS:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 500 feet (152 meters).

2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 500 feet (152 meters)."

SECTION 16. Section 15.01.160 of the Code of the City of Wichita, Kansas shall read as follows:

"Chapter 9, Section 901.4 amended - Installation. Chapter 9, Section 901.4 of the International Fire Code, 2000 Edition, is amended to read as follows:

Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required fire protection systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled, or added to. Alterations to fire protection systems shall be done in accordance with applicable standards and shall be performed by a NICET II Wichita Licensed Fire Protection Contractor."

SECTION 17. Section 15.01.170 of the Code of the City of Wichita, Kansas shall read as follows:

"Chapter 9, Section 903.2.1.1 amended - Group A-1. Chapter 9, Section 903.2.1.1 of the International Fire Code, 2000 Edition, is amended to read as follows:

An automatic sprinkler system shall be provided throughout a fire area containing a Group A-1 occupancy where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1,115 square meters) for Type II-B, III-B, V-A and V-B construction or the basic allowable area for the construction type per the International Building Code, Table 503, for the remaining construction types.
2. The fire area is located on a floor other than the level of exit discharge.
3. The fire area contains a multi-theater complex."

SECTION 18. Section 15.01.180 of the Code of the City of Wichita, Kansas shall read as follows:

"Chapter 9, Section 903.2.1.3 amended - Group A-3. Chapter 9, Section 903.2.1.3 of the International Fire Code, 2000 Edition, is amended to read as follows:

An automatic sprinkler system shall be provided throughout a fire area containing a Group A-3 occupancy where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1,115 square meters) for Type II-B, III-B, V-A and V-B construction or the basic allowable area for the construction type per the International Building Code, Table 503, for the remaining construction types.
2. The fire area is located on a floor other than the level of exit discharge.”

SECTION 19. Section 15.01.190 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 903.2.1.4 amended - Group A-4. Chapter 9, Section 903.2.1.4 of the International Fire Code, 2000 Edition, is amended to read as follows:

An automatic sprinkler system shall be provided throughout a fire area containing a Group A-4 occupancy where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1,115 square meters) for Type II-B, III-B, V-A and V-B construction or the basic allowable area for the construction type per the International Building Code, Table 503, for the remaining construction types.
2. The fire area is located on a floor other than the level of exit discharge.”

SECTION 20. Section 15.01.200 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 903.2.3 deleted. Chapter 9, Section 903.2.3 of the International Fire Code, 2000 Edition, is deleted.”

SECTION 21. Section 15.01.210 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 903.2.10 deleted. Chapter 9, Section 903.2.10 of the International Fire Code, 2000 Edition, is deleted.”

SECTION 22. Section 15.01.220 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 903.2.12.1.1 created - Opening dimensions and access. Chapter 9, Section 903.2.12.1.1 of the International Fire Code, 2000 Edition, is created to read as follows:

Openings shall have a minimum dimension of not less than 30 inches (762 millimeters) in width and 48 inches (1,219 millimeters) in length. Such openings shall be accessible to the fire department from the exterior and shall not be

obstructed in a manner that fire-fighting or rescue cannot be accomplished from the exterior.”

SECTION 23. Section 15.01.230 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 903.3.6 amended - Hose threads. Chapter 9, Section 903.3.6 of the International Fire Code, 2000 Edition, is amended to read as follows:

Fire hose threads used in connection with automatic sprinkler systems shall comply with NFPA Fire hose thread used in connection with fire-extinguishing systems shall be national standard hose thread or as approved by the Chief.”

SECTION 24. Section 15.01.240 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 903.3.7 amended - Fire Department connections. Chapter 9, Section 903.3.7 of the International Fire Code, 2000 Edition, is amended to read as follows:

The location of the fire department hose connections shall be approved by the Chief. The maximum distance shall be 150 feet (46 meters) from a fire hydrant. The required hydrant shall be no closer than 40 feet (12 meters) to the structure.”

SECTION 25. Section 15.01.250 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 904.11.5 amended - Commercial cooking equipment. Chapter 9, Section 904.11.5 of the International Fire Code, 2000 Edition, is amended to read as follows:

Portable fire extinguishers shall be provided within a 30-foot (9 meter) travel distance of commercial-type cooking equipment. Cooking equipment involving vegetable or animal oils and fats shall be protected by a Class K rated portable extinguisher. A 40-B Sodium Bicarbonate or Potassium Bicarbonate dry-chemical extinguisher is approved for pre-existing kitchen hood suppression systems protected by dry chemical suppression systems which have been maintained in service as specified in NFPA 96 and Section 904.11.6 of this code.”

SECTION 26. Section 15.01.260 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 907.2.3 amended - Group E. Chapter 9, Section 907.2.3 of the International Fire Code, 2000 Edition, is amended to read as follows:

An automatic fire alarm system with smoke detection in accordance with provisions set forth in KAR 22-1.3 and (Current Edition) NFPA 101 Life Safety Code Section 16.3.4 shall be installed in Group E occupancies.”

SECTION 27. Section 15.01.270 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 907.2.6.2.4 created - Group I-4. Chapter 9, Section 907.2.6.2.4 of the International Fire Code, 2000 Edition, is created to read as follows:

Group I-4 occupancies shall be equipped with an automatic fire alarm system with smoke detection in accordance with provisions set forth in KAR 22-1.3 and (Current Edition) NFPA 101 Life Safety Code Section 16.3.4.”

SECTION 28. Section 15.01.280 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 907.2.10.1.2 amended - Groups I-1. Chapter 9, Section 907.2.10.1.2 of the International Fire Code, 2000 Edition, is amended to read as follows:

Single or multiple-station smoke alarms shall be installed and maintained in Groups I-1 regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split-levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.”

SECTION 29. Section 15.01.290 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 907.2.10.1.2.1 created - Groups R-2, R-3, and R-4. Chapter 9, Section 907.2.10.1.2.1 of the International Fire Code, 2000 Edition, is created to read as follows:

Smoke detectors shall be required in all residential occupancies, new and existing, and shall be in accordance with Chapter 15.02 of the Code of the City of Wichita, and any amendments thereto.”

SECTION 30. Section 15.01.300 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 907.2.10.1.4 amended - Additions, alterations or repairs to Group R, Exception. Chapter 9, Section 907.2.10.1.4 of the International Fire Code, 2000 Edition, is amended to read as follows:

Where an addition, alteration or repair to an individual dwelling unit or guestroom in Group R requires a permit, smoke alarms shall be installed within that individual dwelling unit or guestroom in accordance with this section. Where one or more sleeping rooms are added or created in an existing Group R, smoke alarms shall be installed in accordance with this section.

EXCEPTION: Smoke alarms located in an existing individual dwelling units, sleeping room or guestroom may remain as previously approved, unless the addition, alteration, or repair results in the removal of interior wall or ceiling finishes exposing the structure within the sleeping area. In all cases, smoke alarms shall comply with section 907.2.10.2.”

SECTION 31. Section 15.01.310 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 907.2.10.2 amended - Power source, Exception. Chapter 9, Section 907.2.10.2 of the International Fire Code, 2000 Edition, is amended to read as follows:

In new construction, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for over current protection.

EXCEPTION: smoke alarms are not required to be equipped with battery backup in Group R-1 where they are connected to an emergency electrical system.”

SECTION 32. Section 15.01.320 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 9, Section 910.2.1 amended - Groups F-1 and S-1, Exception. Chapter 9, Section 910.2.1 of the International Fire Code, 2000 Edition, is amended to read as follows:

Buildings and portions thereof used as a Group F-1 or S-1 occupancy having more than 50,000 square feet (4,645 square meters).

EXCEPTION: Areas completely separated by non-combustible partitions so that no one area exceeds 50,000 square feet (4,645 square meters). Openings

shall be provided with approved automatic or self-closing devices to ensure closure of the opening.”

SECTION 33. Section 15.01.330 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 10, Section 1003.2.2.4 amended - Increased occupant load. Chapter 10, Section 1003.2.2.4 of the International Fire Code, 2000 Edition, is amended to read as follows:

The occupant load permitted in any building or portion thereof is permitted to be increased from that number established for the occupancies in Table 1003.2.2.2 provided that all other requirements modified number and the occupant load shall not exceed one occupant per 7 (seven) square feet of occupy able floor space. Where required by the code official, an approved aisle, seating or fixed equipment diagram substantiating any increase in occupant load shall be submitted. Where required by the code official, such diagram shall be posted.”

SECTION 34. Section 15.01.340 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 10, Section 1003.2.2.2 amended - Table 1003.2.2.2. Chapter 10, Section 1003.2.2.2 of the International Fire Code, 2000 Edition, is amended to read as follows:

Maximum floor area allowances per occupant shown on the following table:

Table 1003.2.2.2

MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

OCCUPANCY	FLOOR AREA IN SQUARE FEET PER OCCUPANT
Agricultural building	300 Gross
Aircraft hangar	500 Gross
Airport terminal	
Concourse	100 gross
Waiting areas	15 gross
Baggage claim	20 gross
Baggage handling	300 gross
Assembly	
Gaming floors (Keno, Slots, etc)	11 gross
Assembly with fixed seats	See 1003.2.2.9
Assembly without fixed seats	
Concentrated (chairs only-not fixed)	7 net
Standing space	7 net

Storm shelter	5 net
Un-concentrated (tables and chairs)	15 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas.	7 net
Business areas	100 gross
Courtrooms-other than fixed seating areas	40 net
Dormitories	50 gross
Educational	
Classroom areas	20 net
Shops and other vocational room areas	50 net
Child care	35 net
Exercise rooms	50 gross
H-5 Fabrications and manufacturing areas	200 gross
Industrial areas	200 gross
Institutional areas	
Inpatient treatment areas	240 gross
Outpatient areas	100 gross
Sleeping areas	120 gross
Child care	35 net
Kitchen, commercial	200 gross
Library	
Reading rooms	50 net
Stack areas	100 gross
Locker rooms	50 gross
Mercantile	
Basement and grade floor areas	30 gross
Areas on other floors	60 gross
Storage, stock, shipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools	
Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Accessory storage areas, mechanical equipment rooms	300 gross
Warehouses	500 gross

For SI: 1 square foot =0.0929 square meters

SECTION 35. Section 15.01.350 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 10, Section 1003.2.11.2 amended - Illumination emergency power. Chapter 10, Section 1003.2.11.2 of the International Fire Code 2000 Edition, is amended to read as follows:

The power supply for means of egress illumination shall normally be provided by the premise’s electrical supply. In the event of power supply failure, an emergency system shall automatically illuminate all of the following areas:

1. Exit access corridors, passageways, and aisles in rooms and spaces, which require two or more means of egress.
2. Exit access corridors and exit stairways located in buildings required to have two or more exits.
3. Interior exit discharge elements, as permitted in Section 1006.1, in buildings required to have two or more exits.

The emergency power system shall provide power for duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Section 604.”

SECTION 36. Section 15.01.360 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 10, Section 1003.2.11.3 amended - Performance of system, Exception. Chapter 10, Section 1003.2.11.3 of the International Fire Code, 2000 Edition, is amended to read as follows:

Emergency lighting facilities shall be arranged to provide initial illumination that is at least an average of 1 foot-candle (11 lux) and a minimum at any point of 0.1 foot-candle (1 lux) measured along the path of egress at floor level. Such system shall be certified by a licensed Electrical Engineer.

EXCEPTION: Emergency lighting facilities shall be placed at intervals not to exceed 50 feet (15 meters) on center or 25 feet (8 meters) in any one direction along the path of egress. Obstructions or changes in direction or exit travel shall be considered the conclusion of the emergency light facility.”

SECTION 37. Section 15.01.370 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 10, Section 1003.3.1.9 amended - Panic and fire exit hardware. Chapter 10 Section 1003.3.1.9 of the International Fire Code, 2000 Edition, is amended to read as follows: Where panic and fire exit hardware is installed, it shall comply with the following:

1. The actuating portion of the releasing device shall extend at least one-half of the door leaf width.
2. A maximum unlatching force of 15 pounds (67N).

Each door in a means of egress from an occupancy of Group A or E having an occupant load of 50 or more and any occupancy of Group H-1, H-2, H-3 or H-5 shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware. If balanced doors are used and panic hardware is required, the panic hardware shall be of the push-pad type and the pad shall not extend more than one-half the width of the door measured from the latch side.”

SECTION 38. Section 15.01.380 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 10, Section 1011.5 created - Standby personnel. Chapter 10, Section 1011.5 of the International Fire Code, 2000 Edition, is created to read as follows:

When, in the opinion of the chief, it is essential for public safety in a place of assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ one or more qualified persons, as required and approved, to be on duty at such place. Such individuals shall be subject to the chief’s orders at all times when so employed and shall be in uniform and remain on duty during the times such places are open to the public, or when such activity is being conducted. Before each performance or the start of such activity, such individuals shall inspect the required fire appliances provided to see that they are in proper place and in good working order and shall keep diligent watch for fires during the time such place is open to the public or such activity is being conducted and take prompt measures for extinguishment of fires that may occur. Such individuals shall not be required or permitted, while on duty, to perform any other duties than those herein specified.”

SECTION 39. Section 15.01.390 of the Code of the City of Wichita, Kansas, shall read as follows:

“Chapter 24, Section 2401.2 amended - Approval required, Exceptions. Chapter 24, Section 2401.2 of the International Fire Code, 2000 Edition, is amended to read as follows:

Tents and membrane structures having an area in excess of 150 square feet and canopies in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the code official.

EXCEPTIONS:

1. Tents used exclusively for recreational camping purpose.
2. Fabric canopies and awnings open on all sides which comply with all of the following:
 - a. Individual canopies having a maximum size of 700 square feet (65 square meters).

- b. The aggregate area of multiple canopies placed side by side without a firebreak clearance of 12 feet (4 meters) not exceeding 700 square feet (65 square meters).
- c. A minimum clearance of 12 feet (4 meters) to all structure and other tents.”

SECTION 40. Section 15.01.400 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 25, Section 2505.1 amended - Individual piles. Chapter 25, Section 2505.1 of the International Fire Code, 2000 Edition, is amended to read as follows:

Tire storage shall be restricted to individual piles not exceeding 3,750 square feet (348 square meters) of continuous area. Piles shall not exceed 50,000 cubic feet (1,416 cubic meters) in volume or 10 feet (3 meters) in height.”

SECTION 41. Section 15.01.410 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 25, Section 2505.7 created - Fire Apparatus access roadway. Chapter 25, Section 2505.7 of the International Fire Code, 2000 Edition, is created to read as follows:

Fire apparatus access roadways shall be provided to within 150 feet (46 meters) of all portions of the yard in accordance with Section 503.”

SECTION 42. Section 15.01.420 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 25, Section 2505.8 created - Smoking. Chapter 25, Section 2505.8 of the International Fire Code, 2000 Edition, is created to read as follows:

No smoking signs shall be posted in outside tire storage areas.”

SECTION 43. Section 15.01.430 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 33, Section 3301.1.1.3 amended – Fireworks prohibited, exceptions. Chapter 33, Section 3301.1.1.3 of the International Fire Code, 2000 Edition, is amended to read as follows:

The storage, use, handling, and possession of fireworks are prohibited.

EXCEPTIONS:

1. Storage and handling of fireworks are allowed as permitted in Section 3304.
2. Manufacture, assembly and testing of fireworks s permitted in Section 3305.
3. The use of fireworks for display as permitted in Section 3308.
4. The possession, storage, sale, handling, and use of specific types of Division 1.4G fireworks which have been tested and approved by the Wichita Fire Department for use and sale within the city limits are allowed. Such fireworks shall comply with the following guidelines:
 - a. the fireworks comply with CPSC 16 CFR, Parts 1500-1507, and DOTn 49 CFR, Parts 100-178, for consumer fireworks.
 - b. the fireworks shall be classified as Class C and/or (1.4G); and
 - c. shall emit a shower of sparks no more than 6 feet in any direction; and
 - d. shall not be labeled as emitting flaming balls.

A list of approved fireworks shall be published annually in the official city newspaper and a copy shall be on file in the offices of the City Clerk and the Wichita Fire Department.”

SECTION 44. Section 15.01.440 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 33, Section 3301.2 amended - Permit required, Fireworks display. Chapter 33, Section 3301.2 of the International Fire Code, 2000 Edition, is amended to read as follows:

Permits shall be required as set forth in Section 105.6 and regulated in accordance with this section. Permit application shall be made not less than 14 days prior to the scheduled date of the display. No permit shall be submitted more than 60 days prior to the scheduled date of display unless a signed contract for such display is in the applicant’s possession and presented at the time of application. The permit application shall include a diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location of buildings, highways, and other lines of communication; the lines behind which the audience will be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions. At the time of permit application, the Chief shall be consulted regarding the requirements for standby fire apparatus. After the permit is issued, sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit shall be transferable. Permits shall be issued by the City License Collector after a recommendation from the Fire Chief. The license fee to engage in a public display of fireworks shall be \$50.00 per event. Any baseball association having a contract for use of Lawrence-Dumont Stadium may, as a part of their program, fire aerial salutes and the fee for such license shall be \$50.00 per year.”

SECTION 45. Section 15.01.450 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 33, Section 3301.2.1 created - Permit for Indoor Pyrotechnic Special Effects Material. Chapter 33, Section 3301.2.1 of the International Fire Code, 2000 Edition, is created to read as follows:

A permit is required to manufacture, compound, store, or use pyrotechnic special effect material. A permit for the use of pyrotechnic special effect material, or to conduct an indoor pyrotechnic display, shall be granted only to a pyrotechnic operator. Permit applications shall be made not less than 14 days prior to the scheduled use or date of the display. No permit shall be submitted more than 60 days prior to the scheduled date of a use or display unless a signed contract for such use of display is in the applicant's possession and presented at the time of application. The permit application shall include a diagram of the location and a plan of the use of the pyrotechnic material. At the time of the permit application, the Chief shall be consulted regarding requirements for standby fire apparatus. After the permit has been issued, possession, storage and use of pyrotechnic material of the purpose indicated in the plan at the location shown shall be lawful for that purpose only. No permit shall be transferable. Permits shall be issued by the City Treasurer's Office after a recommendation from the Fire Chief. The license fee to engage in the use of pyrotechnic material or to conduct an indoor pyrotechnic display shall be \$50.00 per event.”

SECTION 46. Section 15.01.460 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 33, Section 3301.2.4 amended - Financial responsibility.. Chapter 33, Section 3301.2.4 of the International Fire Code, 2000 Edition, is amended to read as follows:

Before a permit is issued, as required by Section 3301.2, the applicant shall file with the City Clerk a corporate surety bond in the principal sum of not less than \$500,000 for injury or death to persons or injury to property for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement”.

SECTION 47. Section 15.01.470 of the Code of the City of Wichita, Kansas shall read as follows:

“Chapter 33, Section 3308.4 amended – Clearance, Exceptions.
Chapter 33, Section 3308.4 of the International Fire Code, 2000 Edition, is amended to read as follows:

Spectators, spectator parking areas, fire and emergency response personnel and their vehicles, and dwellings, buildings, or structures shall not be located within the display site.

EXCEPTIONS:

1. This provision shall not apply to pyrotechnic special effects and displays using Division 1.4G materials before a proximate audience in accordance with NFPA 126.
2. This provision shall not apply to unoccupied dwellings, buildings and structures of Types I or II construction with the permission of the building owner and the Code Official.
3. Where the Code Official requires additional distance to dwellings, buildings, structures or areas with special hazards. The Code Official shall determine the approved minimum distance to outdoor display sites and sites shall be in accordance with NFPA 1123, table 3.1.3”.

SECTION 48. The original of Chapter 15.01 and Ordinance No. 46-266 of the Code of the City of Wichita are hereby repealed.

SECTION 49. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon adoption and publication in the official city newspaper.

PASSED by the governing body of the City of Wichita, Kansas, this 21st day of December, 2004.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Gary E. Rebenstorf, Director of Law